

Remarks

Applicants have received and carefully reviewed the Final Office Action mailed on April 18, 2007 and the Advisory Action mailed September 27, 2007. Currently, claims 31-37, 39, and 41-57 remain pending. Claims 31-37, 39, and 41-57 have been rejected. In this amendment, claims 31, 43, and 51 have been amended. No new matter has been added. Favorable consideration of the following remarks is respectfully requested.

Claim Rejections - 35 U.S.C. §102

In paragraph 2 of the Final Office Action, claims 31, 32, 35-37, 39, 43, 44, 47, 48, 51, 52, and 55 were rejected under 35 U.S.C. 102(b) as being anticipated by Grayhack et al. (U.S. Patent No. 4,611,594). After careful review, Applicant must respectfully traverse this rejection.

Turning to claim 31, which recites:

31. (Currently Amended) Apparatus for use in conjunction with an interventional device in retrieving a vascular filter disposed on a guidewire from a vessel, the apparatus comprising:

a retrieval adapter having a proximal end, a distal end and a lumen, the distal end of the retrieval adapter being configured to radially expand and receive at least a portion of the vascular filter within the lumen during retrieval of the vascular filter from the vessel;

wherein the retrieval adaptor has a longitudinal axis, wherein the distal end of the retrieval adapter includes an opening oblique to the longitudinal axis;
and

wherein, when in a non-expanded configuration, at least a portion of the distal end of the retrieval adapted has an inward bend adjacent to the oblique opening.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Nowhere does Grayhack et al. appear to teach or suggest, “when in a non-expanded configuration, at least a portion of the distal end of the retrieval adapted has an inward bend adjacent to the oblique opening”, as recited in amended claim 31. Therefore, for at least this reason, claim 31 is believed to be not anticipated by Grayhack et al. For similar reasons, as well as others, claims 32, 35-37 and 39, which depend from claim 31, are believed to be not anticipated by Grayhack et al.

Turning to claim 43, which recites:

43. (Currently Amended) Apparatus for use in conjunction with an interventional device in retrieving a vascular filter disposed on a guidewire from a vessel, the apparatus comprising:

a retrieval adapter having a proximal end, a distal end and a lumen, the distal end of the retrieval adapter including a plurality of expansion slits extending proximally from the distal end of the retrieval adaptor, the plurality of expansion slits dividing a distal portion of the retrieval adaptor into a plurality of curved portions configured to radially expand and receive at least a portion of the vascular filter within the lumen during retrieval of the vascular filter from the vessel, wherein the retrieval adaptor has a longitudinal axis, wherein the distal end of the retrieval adapter includes an opening oblique to the longitudinal axis, wherein at least a portion of the distal end has an inward bend adjacent to the oblique opening when in a non-expanded configuration.

As amended, claim 43 recites, “wherein at least a portion of the distal end has an inward bend adjacent to the oblique opening when in a non-expanded configuration”. As discussed previously, nowhere does Grayhack et al. appear to teach or suggest this limitation. Therefore, for at least this reason, claim 43 is believed to be not anticipated by Grayhack et al. For similar reasons, as well as others, claims 44, 47, and 48, which depend from claim 43, are believed to be not anticipated by Grayhack et al.

Turning to claim 51, which recites:

51. (Currently Amended) Apparatus for use in conjunction with an interventional device in retrieving a vascular filter disposed on a guidewire from a vessel, the apparatus comprising:

a retrieval adapter having a proximal end, a distal end, and a lumen, the proximal end of the retrieval adapter being tapered to facilitate engagement with a distal end of the interventional device, the distal end of the retrieval adapter including an inwardly curved portion and a plurality of expansion slits extending proximally from the distal end of the retrieval adaptor, the plurality of expansion slits dividing a distal portion of the retrieval adaptor into a plurality of curved portions configured to radially expand and receive at least a portion of the vascular filter within the lumen during retrieval of the vascular filter from the vessel, wherein the retrieval adaptor has a longitudinal axis, wherein the distal end of the retrieval adapter includes an opening oblique to the longitudinal axis.

As amended, claim 51 recites, “the distal end of the retrieval adapter including an inwardly curved portion”. Nowhere does Grayhack et al. appear to teach or suggest this limitation. Therefore, for at least this reason, claim 51 is believed to be not anticipated by Grayhack et al. For similar reasons, as well as others, claims 52 and 55, which depend from claim 51, are believed to be not anticipated by Grayhack et al.

Claim Rejections - 35 U.S.C. §103

In paragraph 5 of the Final Office Action, claims 31, 32, 35-37, and 39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al. (U.S. Patent No. 6,171,327) in view of Bagaoisan et al. (U.S. Patent No. 6,152,909). After careful review, Applicant must respectfully traverse this rejection.

Turning to claim 31, which recites:

31. (Currently Amended) Apparatus for use in conjunction with an interventional device in retrieving a vascular filter disposed on a guidewire from a vessel, the apparatus comprising:

a retrieval adapter having a proximal end, a distal end and a lumen, the distal end of the retrieval adapter being configured to radially expand and receive at least a portion of the vascular filter within the lumen during retrieval of the vascular filter from the vessel;

wherein the retrieval adaptor has a longitudinal axis, wherein the distal end of the retrieval adapter includes an opening oblique to the longitudinal axis; and

wherein, when in a non-expanded configuration, at least a portion of the distal end of the retrieval adapted has an inward bend adjacent to the oblique opening.

Nowhere does the combination of Daniel et al. and Bagaoisan et al. appear to teach or suggest “when in a non-expanded configuration, at least a portion of the distal end of the retrieval adapted has an inward bend adjacent to the oblique opening”, as recited in amended claim 31. Therefore, for at least this reason, claim 31 is believed to be patentable over Daniel et al. in view of Bagaoisan et al. For similar reasons, as well as others, claims 32, 35-37, and 39, which depend from claim 31 and include significant additional limitations, are believed to be patentable over Daniel et al. in view of Bagaoisan et al.

In paragraph 10 of the Final Office Action, claims 33 and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al. in view of Bagaosian et al. and further in view of Ferrera et al. (U.S. Patent No. 6,240,231). After careful review, Applicant must respectfully traverse this rejection. For similar reasons discussed above, as well as others, claims 33 and 34, which depend from claim 31 and include significant additional limitations, are believed to be patentable over Daniel et al. in view of Bagaosian et al. and further in view of Ferrera et al.

In paragraph 11 of the Final Office Action, claims 33, 34, 45, 46, 53, and 54 were rejected under 35 U.S.C. 103(a) as being unpatentable over Grayhack et al. in view of Ferrera et al. After careful review, Applicant must respectfully traverse this rejection. For similar reasons discussed above, as well as others, claims 33 and 34, which depend from claim 31, claims 45 and 46, which depend from claim 43, and claims 53 and 54, which depend from claim 51, are believed to be patentable over Grayhack et al. in view of Ferrera et al.

In paragraph 15 of the Final Office Action, claims 41 and 42 were rejected under 35 U.S.C. 103(a) as being unpatentable over Daniel et al. in view of Bagaosian et al. and further in view of Green (U.S. Patent No. 6,485,501). After careful review, Applicant must respectfully traverse this rejection. For similar reasons discussed above, as well as others, claims 41 and 42, which depend from claim 31 and include significant additional limitations, are believed to be patentable over Daniel et al. in view of Bagaosian et al. and further in view of Green.

In paragraph 16 of the Final Office Action, claims 41, 42, 49, 50, 56, and 57 were rejected under 35 U.S.C. 103(a) as being unpatentable over Grayhack et al. in view of Green. After careful review, Applicant must respectfully traverse this rejection. For similar reasons discussed above, as well as others, claims 41 and 42, which depend from claim 31, claims 49 and 50, which depend from claim 43, and claims 56 and 57, which depend from claim 51, are believed to be patentable over Grayhack et al. in view of Green.

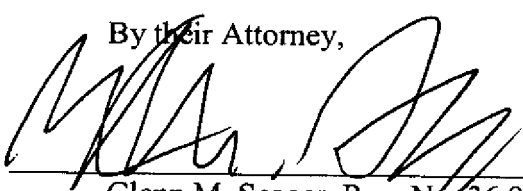
In view of the foregoing, all pending claims are believed to be in a condition for allowance. Reexamination and reconsideration are respectfully requested. Issuance of a Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By their Attorney,

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